



Order Filed on July 9, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1**

DENISE CARLON, ESQUIRE

KML LAW GROUP, P.C.

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Attorneys for Secured Creditor

Gulf Harbour Investments Corporation

In Re:

Brian Eric Blondek, Michele Christine Blondek

Debtors.

Case No.: 19-11547 KCF

Adv. No.:

Hearing Date: 3/27/19 @ 10:00 a.m.

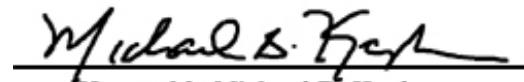
Judge: Katherine C. Ferguson

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby

**ORDERED**

**DATED: July 9, 2019**

  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtors:

Brian Eric Blondek, Michele Christine Blondek

Case No.:

19-11547 KCF

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor Gulf Harbour Investments Corporation, holder of a mortgage on real property located at 9 Belle Drive, West Long Branch, NJ 07764, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and William H. Oliver, Esquire, attorney for Debtor, Brian Eric Blondek and Michele Christine Blondek, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** Gulf Harbour Investments shall have a secured claim in the amount of \$10,000.00, which will be paid through Debtors' Chapter 13 plan as a secured claim; and

It is **ORDERED, ADJUDGED and DECREED** that Gulf Harbour Investments 's lien will only be stripped upon the payment of the \$10,000 secured claim, Debtors' receipt of their discharge, and completion of the Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the subject lien; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the lien shall be released and extinguished upon the successful payment of the \$10,000 secured claim, completion of the Debtors' Chapter 13 plan, and issuance of a discharge; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that Gulf Harbour Investments shall file a release of the lien with the recorder of deeds in the County of Monmouth within 30 days of the date of the service of Debtors' discharge; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that in the event Gulf Harbour Investments fails to discharge the mortgage within the prescribed period, the Debtors and/or Debtors' counsel may record with the recorder of deeds a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of mortgage; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the balance of Gulf Harbour Investments 's claim in excess of the \$10,000 secured portion shall be allowed as a non-

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Debtors:

Brian Eric Blondek, Michele Christine Blondek

Case No.:

19-11547 KCF

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**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

priority general unsecured claim and shall be paid as such in accordance with the Debtors' Chapter 13 Plan; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** Gulf Harbour Investments shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtors' Chapter 13 case or the conversion of the Debtors' Chapter 13 case to any other Chapter under the United States Bankruptcy Code.

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that in the event that the property is destroyed or damaged, pursuant to the mortgage, Gulf Harbour Investments is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that in the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtors' completion of the Chapter 13 plan, Gulf Harbour Investments 's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Gulf Harbour Investments shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge.

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** the Debtor retains the right to object to Gulf Harbour Investments 's claim, and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that the Debtors complies with the disclosures set forth in 11 U.S.C. 521 (f); and

It is **FURTHER, ORDERED, ADJUDGED** and **DECreed** that Gulf Harbour Investments 's objection to confirmation is hereby resolved.

**Certificate of Notice Page 4 of 4**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Brian Eric Blondek  
 Michele Christine Blondek  
 Debtors

Case No. 19-11547-MBK  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Jul 09, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 11, 2019.

db/jdb +Brian Eric Blondek, Michele Christine Blondek, 9 Belle Drive,  
 West Long Branch, NJ 07764-1003

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 11, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 9, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
 Aleisha Candace Jennings on behalf of Creditor U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee for GSR Mortgage Loan Trust 2005-8F, Mortgage Pass-Through Certificates, Series 2 ajennings@rasflaw.com  
 Charles G. Wohlrab on behalf of Creditor U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee for GSR Mortgage Loan Trust 2005-8F, Mortgage Pass-Through Certificates, Series 2 cwohrlab@logs.com, njbankruptcynotifications@logs.com  
 Denise E. Carlon on behalf of Creditor Gulf Harbour Investments Corporation dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Kevin Gordon McDonald on behalf of Creditor Gulf Harbour Investments Corporation kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Rebecca Ann Solarz on behalf of Creditor Gulf Harbour Investments Corporation rsolarz@kmlawgroup.com  
 Shauna M Deluca on behalf of Creditor U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee for GSR Mortgage Loan Trust 2005-8F, Mortgage Pass-Through Certificates, Series 200 sdeluca@rasflaw.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
 William H. Oliver, Jr. on behalf of Joint Debtor Michele Christine Blondek bkwliver@aol.com, R59915@notify.bestcase.com  
 William H. Oliver, Jr. on behalf of Debtor Brian Eric Blondek bkwliver@aol.com, R59915@notify.bestcase.com

TOTAL: 10